IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 89 OF 2005

Hari Parshu Karale ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. R.D. Suryawanshi, for the Applicant.

Mr. K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

14th January 2005

P.C.:

. Heard Counsel for the parties. Perused the record. The argument that the Applicant has been falsely implicated only on account of the supplementary statement of the injured can be no basis for releasing the Applicant on bail. Indeed, the statement of the injured as well as his father came to be recorded on 20th March 2004. In that statement, the injured has named three persons and the statement of father also corroborates that fact that three persons

assaulted the injured. However, in the supplementary statement of the injured as recorded after seven days on 27-3-2004, Applicant has been named as one of the assailants. The fact remains that supplementary statement came to be recorded on account of the reasons stated in the earlier part of that statement. The fact remains that the Applicant has been named by the injured in the supplementary statement. No reason is forthcoming as to why the injured could have falsely implicated the accused in the commission of the offence. All other arguments will have to be gone into at the trial. This Court for the time being will have to accept the prosecution version, and in particular the supplementary statement, as it is. So understood, and having regard to the seriousness of the offence, not a case for bail. Rejected. The Sessions Judge, Thane, is directed to assign the case to the Fast Track Court, if not already done, to ensure early disposal.

(A.M.KHANWILKAR,J.)